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U. S. DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT
DIRECTIVES SYSTEM

Subject Number:

GWT-10-1

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412

Date: 1/21/86

Subject: Federal Assistance Manual

Approval:

J. D. Christensen

Title: Director

EXPLANATION OF CHANGES: The principal purpose of these revisions to the Federal Assistance Manual (FAM) is to incorporate the following Temporary Directives into the FAM:

- Grants Management: Grant Conditions
- Grants Management: Special Set-Aside Grant
- Grants Management: Communications Procedures
- Grants Management: Allowability of Membership and License Fees as Grant Program Costs
- Grants Management: Overtime Compensation on Federally-Assisted Construction Projects

These revisions also clarify several AML program policies and internal grants administration procedures and responsibilities, and incorporates a number of changes that have been suggested by the Field Operations, Field Office and Headquarters staffs. A chapter-by-chapter explanation of the major changes is attached.

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EXPLANATION OF CHANGES

Appendices

Appendix 31 - OMB Circular A-110. Add Revision to Attachment 1, dated February 1, 1987. The revision provides that recipients (institutions of higher education, hospitals, and other nonprofit organizations) shall maintain advances of Federal funds in interest bearing accounts.

Appendix 63B - Add AMLR Final Guidelines for Reclamation Programs and Projects (45 F.R. 14810-14819).

Appendix 73 - Add Anti-Lobbying Statute (18 U.S.C. 1913).

Definitions

"A" - The definition of "award package" is changed to include the Field Office's findings and recommendation memorandum and the completed OSM-64 (Review Checklist).

"A" - The definition of "Administratively Complete" is added.

"F" - The definition of "Federal Reclamation Program" is added.

"L" - The definition of "Lobbying" is added.

Chapter 1-00

1-00-10A.3 is changed to indicate that Part 3 of FAM is renamed "Regulatory Programs" to coincide with the Division's name change.

1-00-20 is changed to indicate that the Division of Regulatory Programs is responsible for the development, maintenance, revision and distribution of the Manual.

Chapter 1-02. Responsibility for the Administration of Grants and Cooperative Agreements

Changes are made to clarify the responsibilities of the Assistant Directors, Field Operations (1-02-20A); and Assistant Director, Program Policy (1-02-30).

1-02-40 is changed to indicate that the Division of Financial Management (DFM) now operates the Treasury Financial Communications System (TFCS).

1-02-50 is added to describe the responsibilities of the Operations Evaluation Staff.

Chapter 1-10. Distinguishing and Providing Specific Guidelines for Contracts, Grants and Cooperative Agreements

1-10-15D is changed to correctly reference the Division of Regulatory Programs (DRP).

1-10-45 is changed to correctly reference AD-PP.

Chapter 1-12. Grant, Cooperative Agreement Management Files

1-12-20B, C and -30B are changed to indicate that the Division of Financial Management (DFM) maintains the official fiscal files.

1-12-30A.2(2) clarifies where letters from recipients should be filed.

Chapter 1-67. Grant and Cooperative Agreement Award

This chapter is revised to incorporate Temporary Directive 87-10, Grants Management: Grant Conditions.

Chapter 1-80. Budget Reporting and Revision

Throughout the chapter, the reference to State Program Assistance is changed to Regulatory Programs.

1-80-40B is corrected to indicate that OSMRE has 15 days to review and approve a request for a budget revision.

Chapter 1-81. Extension of a Grant or Cooperative Agreement

1-81-30B and C are changed to clarify that the statements regarding timing of submission and approval apply to extending a grant or cooperative agreement.

1-81-30H is deleted because it contradicts 1-81-30A.

Chapter 1-100. Requisitioning and Accounting for Cash

Throughout the chapter, the reference to TFS Form 5805a is changed to SF 5805.

1-100-65B is deleted because the responsibilities listed are not relevant to this chapter.

1-100-65C. and D. are merged into 1-100-65B. because the TFCS has been transferred to the Division of Financial Management in Denver.

Exhibit X1-100-1 is changed to indicate that the SF 5805 form is sent to DFM and the appropriate FO to report program income.

Chapter 1-105. Financial Reporting Requirements

Throughout the chapter, the reference to TFS Form 5805a is changed to SF 5805.

Chapter 1-145. Reporting Grant and Cooperative Agreement Information to the States

1-145-40B. is revised to include closeout and all changes in award amount as actions that should be reported in the FAADS.

1-145-60 is changed to correctly reference the Division of Regulatory Programs (DRP).

Chapter 3-01. Regulatory Programs Overview

The title of the chapter (and the Part) is changed to coincide with the Division's name change.

Chapter 4-06. Characteristics of AMLR Federal Assistance

OSMRE policy on extraction of coal as an incidental part of an AML reclamation project is added as 4-06-20, OSMRE policy on site eligibility for AMLR projects is added as 4-06-30, and the sections on allowable and unallowable costs are renumbered 4-06-40 and 4-06-50, respectively.

4-06-60C is added to indicate the normal performance period of the special set-aside grant.

A new section (4-06-70) is added to incorporate the policy in Temporary Directive 87-04, Grants Management: Overtime Compensation on Federally-Assisted Construction Contracts.

Chapter 4-20. Special Set-Aside Grant

This chapter is added to incorporate the policy and procedures in Temporary Directive 87-18, Grants Management: Special Set-Aside Program.

Chapter 5-10. The Application Process

5-10-20B is changed to reference "Regulatory Programs."

Chapter 5-20. Grant Application Review

5-20-20B.1 and 2 are changed to indicate that the FO prepares the news item data sheet and transmits a copy for review to AD-FO with the application.

5-20-20B.5. A sentence is added to indicate that if the proposed grant award is over \$1 million, AD-FO will check with Congressional Liaison two days prior to the scheduled award date to assure that all Headquarters actions are on target.

Chapter 5-20, Grant Application Review (Continued)

5-20-20B.7 is changed to delete the requirement to call the Congressional Liaison Office on the day of award.

5-20-20B.8 is changed to indicate that the Headquarters Divisions of AML or RP, as appropriate, receive a copy of the signed MB-212.

5-20-20C.2.d. is changed to correctly reference AD-FO.

The news item data sheet is revised and moved to Exhibit X5-20-5.

The findings and recommendation form (Exhibit X5-20-3) is revised to include a list of important milestones in the review process. The requirement to discuss how the State will provide its matching share for Title V grants is added to the "additional information/special considerations" section.

The exhibit of the overall application approval process (Exhibit X5-20-2) is revised to reflect the changes indicated in this chapter.

Chapter 5-30, Agreement Amendments and Budget Revisions

5-30-05D. The definition of an award package is revised to include the amendment findings and recommendations memorandum and the Review Checklist (OSM-64).

5-30-25B.2 is changed to indicate that all documents included in the "award package" should be sent to AD-FO.

5-30-25B.3 is changed to correctly reference 5-30-20B.

Exhibit X5-30-1 flowchart is deleted as obsolete.

The amendment findings and recommendations memorandum form is added as Exhibit X5-30-1.

Chapter 5-40, The Award Process

The chapter is changed to incorporate Temporary Directive 87-16, Grants Management: Communications Procedures. The specific procedures are displayed as Exhibits X5-40-1, 2 and 3.

The flowchart (Exhibit X5-40-2) is deleted as obsolete.

Chapter 5-70, Closeout Policy and Procedures

5-70-10B is changed to correctly reference AD-FO.

5-70-20A is revised to clarify the timing of OSMRE's actions to close a grant.

Chapter 5-70. Closeout Policy and Procedures (Continued)

5-70-20B.2 is changed to require submittal of an SF-424 indicating the amount of fund to be deobligated.

5-70-20C.4 deletes reference to the Cash Analysis Report.

5-70-20C.8 and 9 adds the requirement for the FO to code an SF 424 for FAADS input and prepare an MB 212 to deobligate funds.

The requirement for the AD-FO to complete the funding portion and the action date on the SF 424 is added to 5-70-20D.5.

A new paragraph is added to 5-70-30B to clarify the requirement for the FO to transmit to AD-FO a copy of the letter approving a time extension along with a completed MB 212.

Exhibit X5-70-3 is revised to include additional documentation to be sent to AD-FO.

Chapter 5-90. Federal Assistance Award Data System

5-90-30A is changed to require the submittal of an SF-424 for time extensions.

5-90-40, item 4d, e, and f are changed to reference Exhibit X5-90-3.

5-90-40, item 11 is changed to modify and clarify the meaning of the codes for the types of assistance.

5-90-40, item 28. A sentence is added to clarify the meaning of "funding".

5-90-40, item 29. A sentence is added to clarify the meaning of "action date".

Exhibit 5-90-3 is added to display the State, county, city codes and Congressional districts.

Chapter 6-00. Cost Principles

6-00-40 is revised to include the policy in Temporary Directive 87-05, Grants Management: Allowability of Membership and License Fees as Grant Program Costs.



PART 3 - REGULATORY PROGRAM ASSISTANCE

BASIC STATEMENTS

- 3-01 Regulatory Program Assistance
- 3-06 Characteristics of Interim Grants
- 3-07 Characteristics of Program Development Grants
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- 3-10 State-Federal Cooperative Agreement for Regulation on Federal Lands

PART 4 - ABANDONED MINE LANDS PROGRAM ASSISTANCE

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- 4-01 Program Overview
- 4-06 Characteristics of AMLR Federal Assistance
- 4-20 Characteristics of Special Set-Aside Grant Program

PART 5 - GRANTS AND COOPERATIVE AGREEMENTS

- 5-10 The Application Process
- 5-20 Application Review
- 5-30 Agreement Amendments and Budget Revisions
- 5-40 The Award Process
- 5-50 Monitoring and Administration
- 5-70 Closeout Procedures
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PART 6 - COSTS

- 6-00 Cost Principles
- 6-05 Cost Transfers
- 6-10 Charges for Leased Facilities and Equipment
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- 6-100 Establishment of Indirect Cost Rates
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Legislative Requirements, Assurances,
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- Appendix 60 The Surface Mining Control and Reclamation Act of 1977 (SMCRA)
(P.L. 95-67)
- Appendix 61 Reimbursements to States
(30 CFR Part 725)
- Appendix 62 Small Operator Assistance Program Funding Rules and Regulations
(30 CFR Part 795)
- Appendix 63A State Reclamation Grants Final Rules
(30 CFR Part 886)
- Appendix 63B Final Guidelines for Reclamation Programs and Projects
45 F.R. 14810-14819, March 6, 1980
- Appendix 64 Title VI of the 1964 Civil Rights Act of 1964
(P.L. 88-352)
- Appendix 65 Title VI of the 1964 Civil Rights Act of 1964
(42 U.S.C. 2000d)
- Appendix 66 Section 504 of the Rehabilitation Act of 1973
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- Appendix 67 Title II and Title III of Uniform Relocation Assistance and Real Property Acquisitions Act of 1970
(P.L. 91-646)
- Appendix 68 Hatch Act
- Appendix 69 Section 102 of the Flood Disaster Protection Act of 1973
(P.L. 93-234)
- Appendix 70 Section 106 of the National Historic Preservation Act of 1966
(16 U.S.C. 470)
- Appendix 71 Protection and Enhancement of the Cultural Environment
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APPENDIX IV
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- Appendix 72 Archeological and Historic Preservation
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- Appendix 73 Anti-Lobbying Statute
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- Appendix 74 Protection of Historic and Cultural Properties
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- Appendix 75 Evaluation of Flood Hazard in Locating Federally Owned or
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- Appendix 76 Prevention, Control, and Abatement of Water Pollution by
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- Appendix 77 American Standard Specifications for Making
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- Appendix 78 Intergovernmental Review of Federal Programs
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DEFINITIONS

"A"

"Acceptance of a Grant" includes the recipient's administrative actions required after an OSMRE grant is awarded.

"Accounting Code" system is transaction-numbering mechanism to permit tracing detailed accounting transactions.

"Accounting System" aids the recipient in the separate identification of receipts, disbursements, assets, liabilities, and Letter of Credit balance and provides for the summarization of financial information in a manner which will facilitate the preparation of the periodic reports required by OSMRE.

"Accrual Accounting" practices are those in which all revenues earned and all expenses incurred are recognized in the accounting period in which they are earned or incurred irrespective of the flow of cash between the parties involved.

"Actions on Grant Applications" - A systematic review or assessment by OSMRE resulting in disapproval of the application or in the obligation of a specified amount of OSMRE funds for a specific purpose.

"Acquisition" of property includes purchase, construction, or fabrication of property.

"Acquisition Cost" of nonexpendable personal property acquired by purchase means the net invoice price of the property, including any attachments, accessories, or auxiliary apparatus necessary to make the property usable for the purpose for which it was acquired. Ancillary charges such as taxes, duty protective in-transit insurance, freight, or installation shall be included in or excluded from acquisition cost in accordance with the recipient's regular accounting practices.

"Administratively Complete" The determination made by the Field Office grants specialist that all required parts of a grant application are present and that sufficient information is provided to determine that costs are necessary, reasonable, allowable, and allocable.

"Agreement" means a grant or cooperative agreement.

"Alterations and Renovations" consist of work required to change the physical characteristics of an existing facility or installed equipment so that it may be more effectively utilized for its currently designated purpose or adapted to a changed use as a result of a programmatic requirement.

DEFINITIONS

"A"

"Amendment" - An amendment to an OSMRE grant or cooperative agreement is a formal written alteration to the amount, terms and conditions, performance period or scope of work.

"AML" means the Abandoned Mine Lands Program.

"Appeal Procedure" A procedure which permits recipients to request review of a particular issue at OSMRE Headquarters. Appeals are submitted to the Director, OSMRE.

"Applicable Credit" - A negative-expenditure type of transaction which offsets or reduces an expense item. Examples are purchase discounts, rebates or allowances, and adjustments of overpayments and erroneous charges.

"Approval Package" is the set of documents related to a grant/cooperative agreement application or amendment which is prepared by the Field Office grants specialist to justify and support the grant approval recommendation made to the Field Office Director. The approval package consists of a findings and recommendation memorandum; completed OSM-64; completed SF-424; two copies of a completed grant agreement/amendment document; and a completed, but unsigned, MB-212 form (not required for non-monetary scope change amendments).

"Audit" is a planned approach of evaluating and reporting on the recipient's financial and programmatic operations.

"Award Package" is the set of documents related to a grant/cooperative agreement award or amendment which is forwarded from the Field Office to the Assistant Director, Field Operations. The award package consists of a findings and recommendation memorandum; completed OSM-64; one copy of the FOD-signed grant agreement/amendment form; two copies of the completed SF-424 (one copy coded for FAADS); one copy of a completed, but unsigned MB-212 (not required for non-monetary scope change amendments).

DEFINITIONS
"F"

"Federal Assistance Award Data Systems - (FAADS)" is an ADP system that provides information on assistance awards, amendments, and deobligations, on a quarterly basis. (See Chapter 5-90 for reporting instructions.)

"Federal Assistance Unit" is the OSMRE unit responsible for managing a grant or cooperative agreement.

"Federal Management Circulars - (FMC)" are documents issued by the General Services Administration to transmit national policies with respect to certain government-wide management functions.

"Federal Reclamation Program (FRP) Project" - Emergency or high priority AML abatement or reclamation project funded from the Secretary's Discretionary Share of the AML Fund, and undertaken through a Federal contract, a cooperative agreement with a State/Tribe, or an interagency agreement with another Federal agency.

"Federal Share" - The percentage of Federal participation. The percentage of the net cost (i.e., total cost less program income earned) of an activity borne by OSMRE represents the Federal share of the cost of the activity. The Federal share of any grant or cooperative agreement related income produced by that activity is determined by applying the same percentage factor.

"Field Office Review" is the Field Office evaluation of a grant application in order to determine the capability of the recipient to maintain financial stewardship of OSMRE funds.

"Forms Clearance" means the process by which an OSMRE originating unit must obtain prior clearance from OMB in accordance with OMB Circular No. A-40 and appropriate OSMRE forms clearance procedures.

"Freedom of Information" policy pertains to the release of certain requested information on grants to any member of the public regardless of the reason for the request.

DEFINITIONS

"G"

"Grant or grant-in-aid" means Federal assistance in the form of money, or property in lieu of money, paid or furnished by the United States under a fixed annual or aggregate authorization to a State, a potential subdivision of a State, or any agency, institution, or organization.

"Grant Close-Out Procedure" is the process by which OSMRE determines that all applicable administrative actions and all required work on the grant have been completed by the recipient and OSM.

"Grant Number" means a number used by OSMRE to identify a specific grant.

"Grantee" - The organizational entity that receives a grant and assumes legal and financial responsibility and accountability both for the awarded funds and for the performance of the grant-supported activity.

"Grant Administration" is the process in which grant funds are awarded to an organization or an individual to carry out an approved activity or program and progress under the activity or program is monitored.

"Grant - Construction" - A grant made to provide support for building, expanding, and modernizing of facilities.

"Grant - Demonstration" - A grant, generally of limited duration, made to establish or demonstrate the feasibility of a theory or approach.

"Grant - Formula" - A grant in which funds are provided to specified grantees on the basis of a specific formula, prescribed in legislation or regulation, rather than on the basis of an individual project review.

"Grant - Planning" - A grant made to support planning, developing, designing, and establishing the means for performing research or accompanying other approved objectives.

"Grant - Research" - A grant made in support of investigation or experimentation aimed at the discovery and interpretation of facts, revision of accepted theories in the light of new facts, or the application of such new or revised theories.

"Grants Management Information System" means a complete information system for monitoring and controlling the AML and SPA program grants.

"Grants Supported Activity/Project" is the basic purpose for which a specific grant has been awarded.

MANUAL.....FEDERAL ASSISTANCE

DEFINITIONS
"I"

"In-kind contributions" made by the recipient or by third parties which may consist of the value of real property, nonexpendable personal property, and goods and services directly benefitting and specifically identifiable to the grant-supported activity.



DEFINITIONS
"L"

"Lobbying" - Any activity designed to influence a Member of Congress to favor or oppose any legislation (including appropriation), whether before or after the introduction of any bill or resolution proposing such legislation. Accordingly, OSMRE grant funds may not be used to:

- Support an activity by which States/Tribes lobby Congress and/or urge others to lobby Congress;
- Support direct appeals for favorable action or opposition to legislation;
- Pay for publication or distribution of literature to promote public support or opposition to a legislative proposal;
- Urge other individuals or groups to lobby Congress to take a position on a particular project or program.

States may keep special interest groups informed of their activities and of Congressional activities, or retain and pay for services to keep informed of Congressional actions affecting their interests.

(See 18 U.S.C. 1913 at Appendix 73.)



MANUAL.....FEDERAL ASSISTANCE

DEFINITIONS
"N"

"Notice of Grant Award" - The Notice of Grant Award is the formal notice to the grantee and others that a grant award has been made.



CHAPTER 1-00
PLAN OF THE MANUAL

1-00-00	Purpose
10	Structure
20	Revising the Manual

1-00-00 PURPOSE

This chapter discusses the organization of the Federal Assistance Manual and the procedures for updating it.

1-00-10 STRUCTURE

A. The manual is broadly structured and delineates policies and guidelines in the following parts:

1. Part 1 -- GENERAL POLICIES describes the governing OMB circulars, other Federal Laws and requirements developed by Executive directives affecting the Federal assistance programs of all Federal agencies.
2. Part 2 --RESERVED
3. Part 3 -- REGULATORY PROGRAMS POLICIES describe the management responsibilities of the Headquarters Division of Regulatory Programs in the administration of the Federal assistance programs for carrying out an approved regulatory program.
4. Part 4 -- ABANDONED MINE LANDS RECLAMATION PROGRAM POLICIES describe the management responsibilities of the Headquarters Division of Abandoned Mine Land Reclamation in the administration of the Federal assistance programs for carrying out OSMRE's Federal Reclamation Program and the objectives of the Abandoned Mine Land Reclamation Fund.
5. Part 5 -- GRANTS AND COOPERATIVE AGREEMENTS describes the submission, review, processing, and approval of requests for Federal assistance and related revisions and amendments; and monitoring, administration and closeout of the grant or cooperative agreement.
6. Part 6 -- COST PRINCIPLES describe policies which deal with the determination and reimbursement of costs and fiscal management procedures and responsibilities of OSMRE.

PLAN OF THE MANUAL

PAGE 2

B. The numbering system of the manual is:

Part.....1
Chapter.....1-00
Section.....1-00-10
Paragraph.....1-00-10A
Subparagraph.....1-00-10A.1

1-00-20 REVISING THE MANUAL

- A. Responsibility for the development and maintenance of the Federal Assistance Manual is assigned to the Division of Regulatory Programs (DRP).
- B. The Federal Assistance Manual will be revised periodically to reflect changes in the policies and procedures for implementation of OSMRE's Federal assistance programs.
- C. DRP is responsible for preparing and distributing revised portions of the manual. Revisions are issued by the authority of the Director, OSMRE. Revisions to the manual may be suggested by recipients, OSMRE employees and the public. Suggested revisions shall be submitted to the Assistant Director, Program Policy (AD-PP) for processing and coordination.
- D. Proposed revisions will be prepared in the manual format and circulated for comment by the AD-PP. Changes will be transmitted via sequentially numbered change notices. The change notice will transmit the revised manual pages, which will be marked with the effective date of the change; will explain the change; and will provide filing instructions.

CHAPTER 1-02
RESPONSIBILITIES FOR THE ADMINISTRATION OF
GRANTS AND COOPERATIVE AGREEMENTS

1-02-00	Purpose
10	Background
20	Assistant Director, Field Operations
30	Assistant Director, Program Policy
40	Assistant Director, Finance and Accounting
50	Operations Evaluation Staff

1-02-00 PURPOSE

The purpose of this chapter is to establish and delineate the responsibilities associated with the management of OSMRE's Federal assistance programs in order to ensure consistency in the administration of grants and cooperative agreements throughout OSMRE.

1-02-10 BACKGROUND

- A. Effective administration of Federal assistance programs requires the active participation of staff who are trained and experienced in a variety of professional disciplines. Close coordination by these various participants and an understanding of their responsibilities are vital in order to achieve OSMRE program objectives.
- B. It is particularly important that the roles of the Assistant Directors for Field Operations and the Field Offices be well-defined and well-understood.

1-02-20 ASSISTANT DIRECTORS, FIELD OPERATIONS

- A. The Assistant Directors, Field Operations (AD-FOs) are the Assistant Director, Eastern Field Operations, located in Pittsburgh, Pennsylvania, and the Assistant Director, Western Field Operations, located in Denver, Colorado. The AD-FOs play a key role in overseeing and coordinating the operations of the grants programs. Their major responsibilities are to:
 - 1. Review Field Office (FO) operation of the grants programs.
 - 2. Provide interpretive advice to FOs on grants policy and procedures, in coordination with AD-PP.
 - 3. Maintain an information system to track and report grant awards, amendments and deobligations.

RESPONSIBILITIES FOR THE ADMINISTRATION OF
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4. Obtain information regarding the States/Tribes budget requests from FOD's, and recommend grant budget allocations to the Director, OSMRE for Congressional appropriation.
 5. Make final determination of acceptability of State's requested grant funding level.
 6. Coordinate with the Congressional Liaison and Public Affairs staffs regarding notification of grant awards.
 7. Coordinate with the Division of Financial Management (DFM) on the establishment and amendment of State letters of credit.
 8. Coordinate with DFM on year-end reconciliation of awards and recoveries.
 9. Resolve issues between the States/Tribes, the Department of the Treasury and DFM concerning letter of credit drawdowns.
 10. Recommend grant and cooperative agreement suspension/termination actions to the Assistant Director, Program Policy (AD-PP).
 11. In coordination with DFM, close grants and deobligate unused funds.
 12. Provide final resolution of issues raised during audits of grants and cooperative agreements.
 13. Initiate, participate or assist in grants training sessions for FO and State personnel.
 14. Report to the Department of the Interior quarterly on Federal financial assistance actions.
 15. Perform special studies of FO operations to determine compliance with applicable laws, regulations, policies and procedures.
 16. Maintain an information copy of each grant file.
- B. The Field Offices are organizationally located under the AD-FOs and have the primary responsibility for grants management. The responsibilities include:
1. Assist States/Tribes, as required, in the preparation of grant documents, such as applications and reports.

RESPONSIBILITIES FOR THE ADMINISTRATION OF
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1-02-20B (Continued)

2. Receive and review all grant applications; approve all grant awards.
3. Coordinate with the appropriate AD-FO on news releases and grant funding levels.
4. Prepare all award/amendment documents and transmit signed copies to the States/Tribes.
5. Administer the awarded grants, including the processing and approval of necessary amendments and budget revisions.
6. Receive, review and take any necessary action on expenditure and performance reports submitted under the terms of the grants/cooperative agreements.
8. Recommend grant and cooperative agreement termination/suspension actions to the appropriate AD-FO.
9. Work with the States to resolve issues raised during audits of grants and cooperative agreements.
10. Maintain the official grant files.

1-02-30 ASSISTANT DIRECTOR, PROGRAM POLICY

- A. Under the Assistant Director, Program Policy (AD-PP), the Divisions of Abandoned Mine Land Reclamation and Regulatory Programs have the following programmatic responsibilities related to grants:
1. Prepare the annual State grant allocations in coordination with the OSMRE Budget Office and Assistant Directors, Field Operations.
 2. Maintain programmatic information systems that reflect the impact of grant awards, amendments and deobligations, as well as program accomplishments.
 3. Participate in annual evaluations of States and OSMRE field operations.
 4. Provide programmatic policy guidance through the AD-FOs.
 5. Participate in training of States and FOs.

RESPONSIBILITIES FOR THE ADMINISTRATION OF
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1-02-30 (Continued)

- B. Under the AD-PP, the Division of Regulatory Programs has the following responsibilities for grants policy and administration:
1. Develop, maintain and coordinate national policy and uniform procedures for grants administration.
 2. Prepare decision documents and advise OSMRE management on grants issues.
 3. Maintain liaison with the Department of the Interior, Department of the Treasury, the Office of Management and Budget and other Federal agencies on grants policy issues and procedures.
 4. Initiate, participate or assist in grants training sessions for States and FOs.
 5. Provide grants policy and administrative guidance to the AD-FOs and FOs.

1-02-40 ASSISTANT DIRECTOR, FINANCE AND ACCOUNTING

Under the Assistant Director, Finance and Accounting (AD-FA), the Division of Financial Management has the following responsibilities for financial management of OSMRE's grant programs:

1. Process State/Tribe letters-of-credit with the Department of the Treasury, including their establishment and amendment. Provide copies of certified letter-of-credit amendments to AD-FOs.
2. Provide the AD-FOs, FOs and Headquarters, on a monthly basis, the Historical Report of Unobligated Federal Funds, Drawdowns and Undrawn Funds (MB 214), summarizing for each grant the drawdowns for the current fiscal year.
3. Reconcile OSMRE's official agency records with the Treasury Financial Communication System (TFCS) financial records.
4. Operate the TFCS for letter-of-credit drawdowns, in coordination with the Department of the Treasury.
5. Provide copies of paid or rejected drawdown requests to FOs on a weekly basis.

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1-02-50 OPERATIONS EVALUATION STAFF

The Operations Evaluation Staff (OES) reports to the Deputy Director, Administration and Finance and is assigned the responsibility to organize and conduct evaluations of field units (Field Offices and Eastern and Western Field Operations) and headquarters. The objectives of the Operations Evaluation Staff are:

- A. To ensure that field units and headquarters maintain observance of OSMRE's national goals, policies and procedures, as well as other pertinent government regulations and requirements.
- B. To identify and recognize programs and activities that are successful in achieving their intended results and objectives, and to disseminate such information.
- C. To identify unique problems in individual operations.
- D. To identify situations where programs are being implemented according to agency policy but the intended results are not being achieved. Such situations will be referred to the Director by the Chief, OES, through the Deputy Director, Administration and Finance.
- E. To provide a system for the recording and followup of management's actions which result from evaluation recommendations.
- F. To develop and institute evaluation and monitoring techniques and methods; and
- G. To facilitate information transfer between Field Office Directors, Assistant Directors, Deputy Directors and the Director.



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- d. Consulting services or professional services of all kinds, if provided by the Government or on behalf of the Government to any third party.
 - e. Training projects where the Government selects the individual or specific groups whose members are to be trained or specifies the content of the curriculum (not applicable to fellowship awards).
 - f. Planning for Government use.
 - g. Production of publications or audio-visual materials other than the results of research projects or the proceedings of scientific conferences which are not being procured for use by the Government.
 - h. Design or development of items for Government use or pursuant to agency definition of specifications.
 - i. Conferences conducted on behalf of the Government.
 - j. The development of management information or other data for Government use.
2. Grants or cooperative agreements will normally be used for the following purposes:
- a. General financial assistance (stimulation or support) to eligible recipients under specific legislation authorizing such assistance.
 - b. Financial assistance (stimulation or support) to a specific program activity eligible for such assistance under specific legislation authorizing such assistance.
- C. Any program announcement, public notice, solicitation, or request for applications or proposals should indicate whether the intended relationship will be procurement or assistance and which type of instrument(s) will be used: contract, grant or cooperative agreement.
- D. Federal assistance units should make every effort to ensure their relationships conform with those specified in the Federal Grant and Cooperative Agreement Act. If, however, there are major individual transactions or programs which contain elements of both procurement and assistance in such a way that they cannot be characterized as having a principal purpose of one or the other, initial guidance should be sought from the Division of Regulatory Programs, which

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1-10-150 (Continued)

will coordinate with the AD, Budget and Administration and the Solicitor, if necessary.

- E. The Act also allows the use of contracts "whenever an executive agency determines in a specific instance that the use of a type of emergency project procurement contract is appropriate." This provision accommodates situations in which an agency determines that specific public needs can be satisfied best using the procurement process. However, because the provision does not allow agencies to circumvent the criteria for use of procurement or assistance instruments, use of this authority is restricted to extraordinary circumstances, and only with the prior approval of the Assistant Director for Budget and Administration.

1-10-20 DISTINGUISHING GRANTS AND COOPERATIVE AGREEMENTS

- A. The criteria for distinguishing between grants and cooperative agreements is that for the latter:

- o substantial involvement is
- o anticipated between the agency and the recipient
- o during performance of the contemplated activity.

The examples that follow in paragraphs B and C are not meant to be a checklist or to be considered as individual determinants. Rather, they are to illustrate the general policy that:

1. When the terms of an assistance instrument indicate the recipient can expect to run the project without substantial agency collaboration, participation, or intervention as long as it is run in accordance with the terms of the assistance instrument, a grant is the mechanism to be used.
- B. As a guide to making this determination, anticipated involvement during performance would exist and, depending on the circumstances, could be substantial, where the relationship includes, for example:
 1. An OSM option to immediately halt an activity (e.g., construction specifications are not met).
 2. OSM review and approval of one stage before work can begin on a subsequent stage during the period covered by the assistance instrument. (This principle is not intended to suggest the use of a cooperative agreement merely because OSM had reserved the right to approve or disapprove an operational grant following a planning grant--provided each grant is a separate instrument.)

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1-10-30 SPECIFIC GUIDELINES FOR COOPERATIVE AGREEMENTS

- A. In all cases, the determination of when to use cooperative agreements will be based on the need for substantial Federal programmatic involvement in the assisted activity. Some programs (e.g., the Federal Lands Program) require the use of cooperative agreements exclusively. This determination will always be based on statutory requirements or policy level determinations of substantial Federal programmatic involvement in the performance of the assisted project. Other programs may use a mix of grant and cooperative agreements, depending on the nature of the project or the abilities of the recipients. For example:
1. Some projects may start out as cooperative agreements in the first year and be converted to grants after recipient capabilities have been established.
- B. Each cooperative agreement must include an explicit statement of the nature, character, and extent of anticipated Federal programmatic involvement to insure that the responsibilities of both parties are understood.
- C. Each cooperative agreement shall incorporate OMB Circulars A-102 and A-110 among its terms and conditions which the recipient would have otherwise been subject to if the award were a grant.
- D. OMB has exempted nonmonetary assistance from the provisions of the Grant or Cooperative Agreement Act governing grants. Thus, a formal grant instrument is not required simply to provide surplus property, consultation, or data. Where substantial federal involvement is anticipated, however, a cooperative agreement is required.

1-10-35 JOINT FUNDING OF GRANTS AND COOPERATIVE AGREEMENTS

A project funded under the Joint Funding Simplification Act that includes more than one type of assistance relationship, e.g., some components funded by grants and others by cooperative agreements, is entirely permissible. The Federal Grant and Cooperative Agreement Act provides the opportunity and authority to participate in jointly funded projects in any number of funding relationships to serve the best interests of the participating agencies' programs.

1-10-40 IMPLEMENTATION

Federal assistance units will take the necessary steps to ensure that decisions regarding an award are made consistent with the Grant and Cooperative Agreement Act and this guidance. Implementation should include, where necessary, the development of supplemental, program-specific criteria to make the determinations.

DISTINGUISHING AND PROVIDING SPECIFIC GUIDELINES
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1-10-45 DEVIATIONS

- A. Federal assistance units are required to immediately conform with the guidelines in this chapter. Where severe disruption to a program or serious consequences to a recipient would result, Federal assistance units should request initial advice from the AD-PP who will coordinate with AD-BA.

- B. In isolated instances, it may be necessary for the AD-PP to seek an "exception" from the Office of Management and Budget (OMB). OMB grants exceptions only on the basis of agency requests that include strong justification and an indication of the harm that will result if an exception is not granted.

- C. Requests from Field Offices for an exception should be sent to the AD-PP, through the AD-FO, who will coordinate with the AD-BA. Requests should include:
 - 1. Whether the exception is requested for a complete program, a class of actions or an individual transaction;
 - 2. An explanation of why an exception is requested, including statutory, program policy or other reasons;
 - 3. A statement of what OSM will do if an exception is not granted and what the implications would be if this action were taken; and
 - 4. An indication of how OSM will handle the situation if the OMB exception expires before there are any changes to either the Federal Grant and Cooperative Agreement Act of 1977 as amended or OSM statutes.

- D. There shall be no deviations from this policy without prior approval from the Director, OSMRE. It is recognized that exceptions will be required for certain programs and activities. Prior approval must be obtained whenever it is proposed to use any form of award instrument other than a grant, cooperative agreement or procurement contract.

CHAPTER 1-12
GRANT/COOPERATIVE AGREEMENT MANAGEMENT FILES

1-12-00	Purpose
10	Applicability
20	Policy
30	Files Organization

1-12-00 PURPOSE

This chapter establishes standards for the maintenance of information for OSMRE grant and cooperative agreement programs.

1-12-10 APPLICABILITY

This chapter is applicable to all OSMRE grant and cooperative agreement programs.

1-12-20 POLICY

- A. The official grant/cooperative agreement Management File shall be established by, and maintained in, the Field Office.
- B. The official grant/cooperative agreement Fiscal File shall be established and maintained by the Division of Financial Management (DFM).
- C. Kinds of Files
 1. Subject File; by program.
 2. Grant/Cooperative Agreement Management Files; by:
 - a. Non-construction activity (See FAM 1-12-30A.2.)
 - (1) Grant file
 - (a) By State
 - (b) By grant number
 - (c) By fiscal year
 - b. Construction Activity (See FAM 1-12-30A.2.)
 - (1) Grant file
 - (a) By State

GRANT/COOPERATIVE AGREEMENT MANAGEMENT FILES

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1-12-20C (Continued)

- (b) By grant number
- (c) By fiscal year
- (2) Project file (See FAM 1-12-30A.3.)
 - (a) By state
 - (b) By grant or cooperative agreement number
- c. Fiscal files (maintained by DFM) (See FAM 1-12-30B.)
 - (1) Letter of Credit
 - (a) By State
 - (2) Project/Grant file
 - (a) By State
 - (b) By grant or cooperative agreement number
 - (c) By fiscal year

1-12-30 Files Organization

A. Program Files

1. Subject Files.

- a. OSMRE grant subject files will be established to correspond with the outline presented below. The grant subject file is for general correspondence relating to the development and implementation of overall policies and procedures for managing OSMRE grants to State governments, private institutions, and others. DO NOT apply this outline to materials relating to applications for, or operation of, a SPECIFIC grant or cooperative agreement; such materials belong in the appropriate grant/cooperative agreement files as described in 1-12-30 A.2 and 3 below and as listed in various chapters of the OSMRE Files Maintenance and Records Disposition Manual.

<u>Code</u>	<u>Title</u>
GMT	GRANTS MANAGEMENT
GMT 1	POLICY DEVELOPMENT

1-12-30A1 (Continued)

GMT 2	LAWS AND REGULATIONS	
GMT 3	INSTRUCTIONS AND ORDERS	
GMT 4	REPORTS AND BRIEFINGS	
GMT 5	PROGRAM PLANNING AND TRACKING	
GMT 6	PROGRAM COMPLIANCE	Includes correspondence on inspections, program reviews, investigations, and compliance standards.
GMT 7	COORDINATION	Includes general correspondence regarding grant programs coordinated with other Federal agencies and with State agencies.
GMT 8	CONFERENCES AND MEETINGS	
GMT 9	FINANCIAL INFORMATION	
GMT 10	AUDIT REPORTS	
GMT 11	APPLICATIONS	General correspondence about format, submission, etc., of grant applications.

- b. The primary level of filing is the "GMT Grants Management" in the above list. GMT 1 through GMT 11 in the above list are the secondary level of filing. Documents are to be filed at the primary level first. The secondary level will be used where additional information separation is necessary.
- c. Disposition numbers are assigned in accordance with the OSMRE Files Maintenance and Records Disposition Manual, November 1979, and changes.

2. Grant/Cooperative Agreement Files.

- a. The OSMRE administration and construction grant and cooperative agreement files will be established using six (6) segments. File documents will be posted as listed below for each segment:

GRANT/COOPERATIVE AGREEMENT MANAGEMENT FILES

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1-12-30A.2 (Continued)

(1) Segment 1 - Approved Application

- o SF 424 (Federal Assistance)
- o OSM 47 (Budget Information Report)
- o OSM 48 (Budget Information-Construction)
- o OSM 50-A and/or B (Project Approval Information)
- o OSM 51 (Program Narrative Information)
- o Letter revision(s) to application

Documents related to Intergovernmental Coordination (E.O. 12372), letters from State Historical Preservation Officers, attorney general's opinions on AML projects and records of public meetings should be filed in Segment 1 of the project file if they are project-specific. If they pertain to the grant as a whole, they should be filed here.

Material deleted/amended from the application should be clearly marked "VOID" and placed in Segment 3. All material should be dated. Only current material should appear in Segment 1.

(2) Segment 2 - Legal Documents

- o Grant Agreement
- o Amendments to Grant Agreement
- o Letter of Approval (as defined in 5-30-20B&C)

NO LETTERS FROM THE RECIPIENT IN THIS SEGMENT - They belong in either Segment 1 - Approved Application, if a letter revision request, or Segment 6 - Correspondence, if general correspondence.

(3) Segment 3 - Support Documentation

- o Copies of State Laws, Regulations, etc.
- o Material deleted/amended from the recipient's submissions

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(4) Segment 4 - OSMRE Findings/Review Documentation

This segment contains Review Reports, Findings and Recommendations, including:

- o OSMRE reviews of applications
- o Reports of pre-award conference with recipient
- o Solicitor opinions
- o Telephone conversation records

(5) Segment 5 - Financial/Reporting Documents

This file will not be used as the basis for financial auditing; therefore, it need not duplicate all detailed financial documents and/or records contained in the recipient's files.

- o MB 212 (Grant/Cooperative Agreement Award Report).
- o SF 269 (Financial Status Report).
- o SF 271 (Outlay Report and Request for Reimbursement for Construction Programs). Only the form showing the total expenditures should be filed in this segment. Forms showing the expenditures for individual projects should be filed in segment 2 of the individual project folder.
- o OSM-51 (Performance Reports) for non-construction grant projects.
- o Indirect Cost Agreements.
- o MB 214 (Historical Report of Unobligated Balance of Federal Funds, Drawdowns and Undrawn Funds) Note: Only the MB 214 report used to determine the correctness of the amount to be deobligated at closeout must be maintained in the grant file.
- o Audit Report and reviews and reports on audit and other OSMRE actions affecting the grant.

GRANT/COOPERATIVE AGREEMENT MANAGEMENT FILES

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I-12-30A.2 (Continued)

(6) Segment 6 - Correspondence

- o Correspondence and transmittal letters (except for letters of approval which are filed in segment 2) concerning the grant, filed in chronological sequence with the most recent material on top. Transmittal letters and memoranda are of a routine nature and merely say, "Here it is."
- o Requests to the recipient for information and recipient replies.
- o Letters from members of Congress and the public and OSMRE replies.

3. Project Files

a. Each construction grant will have a separate file established for each project within the grant. Construction project files will be established using two (2) segments. File documents will be posted as listed below for each segment:

(1) Segment 1 - Project specific information

- o Plans and Specifications
- o Photographs
- o Eligibility Determination
- o Environmental Assessment (if available)
- o Project FONSI
- o Project Approval Information (OSM-50A/B)
- o OSM-48 (Budget detail)
- o OSM-48 (Budget revisions)

(2) Segment 2 - Project reports

- o OSM-51 (Program Narrative Statement)
- o OSM-51 (Performance Reports)

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- o SF-271 (Outlay Report and Request for Reimbursement for Construction Programs)
 - o Oversight inspection reports
 - b. If 6-way folders are used, the above procedure would be repeated for additional projects in segments 3/4 and 5/6, and in additional 6-way folders (as necessary) to accommodate all of the projects within the grant.
- B. Fiscal Files (maintained by DFM)
1. Letter of Credit Folder
 - a. Part I - Letter of Credit authorization correspondence and draw down documents.
 - b. Part II - Letter of Credit Signature Cards, SF 1194 and Letter of Credit, Form SF 1193.
 - c. Part III
 - (1) AML Programs - Historical Report of Unobligated Balance of Federal Funds, Drawdowns and Undrawn Funds (MB 214).
 - (2) Regulatory Programs - MB 214 and the Letter of Credit summary.
 2. Grant or Project Folder
 - a. Part I - MB 214 and Drawdowns (TFS 5805a) that are applicable to the grant or project.
 - b. Part II - Financial Status Report (SF 269) for non-construction grants and cooperative agreements or Outlay Report and Request for Reimbursement for Construction Programs (SF 271) for construction grants and cooperative agreements and Performance report, Form OSM-51.
 - c. Part III - Grant or cooperative agreement award and amendments, MB 212 and grant or cooperative agreement application and supporting documentation.



CHAPTER 1-67
GRANT AND COOPERATIVE AGREEMENT AWARD

1-67-00	Purpose
10	Definition
20	Contents of an Award
30	Grant Conditions
40	Special Grant Conditions
50	Signatures

1-67-00 PURPOSE

This chapter sets forth minimum requirements and conditions for a grant and cooperative agreement award in OSMRE programs.

1-67-10 DEFINITION

As used in this chapter:

The "grant or cooperative agreement award" means the official award document used in OSMRE Federal financial assistance programs that: (1) establishes a legally binding arrangement between OSMRE and the recipient; (2) contains or references all the terms and conditions of the grant or cooperative agreement; and (3) provides the documentary basis for the obligation of Federal funds in the OSMRE accounting system.

1-67-20 CONTENTS OF AN AWARD

A grant or cooperative agreement award shall:

1. State the legal name of the recipient and the formal name of OSMRE.
2. State the amount being awarded.
3. State the dates of the grant or cooperative agreement performance period.
4. State the purpose of the grant or cooperative agreement. In many cases, a descriptive title of the project being supported is sufficient.
5. Incorporate, by reference, the application for the grant or cooperative agreement, including amendments.

GRANT AND COOPERATIVE AGREEMENT AWARD

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6. Incorporate, by reference, any OSMRE policy directives which are not incorporated into the applicable regulations. All such documents shall be provided along with the notice or shall otherwise be made readily to the recipient.
7. Include or incorporate by reference all terms, conditions, or agreement clauses that are required by Departmental, OSMRE, or program policies to be incorporated in each individual grant or cooperative agreement award document for the type of grant or cooperative agreement being made.
8. If not clearly stated in a document referenced pursuant section 1-67-30, clearly state:
 - a. Performance and financial reporting requirements applicable to the grant or cooperative agreement, including the frequency and contents of reports.
 - b. Prior approval requirements applicable to the grant or cooperative agreement and how approval may be obtained.

1-67-30 GRANT CONDITIONS

- A. The following conditions are part of every agreement award:
 1. The scope and conditions of the tasks to be undertaken by the State with the amount of money identified as the Federal Grant Amount during the time identified as the Grant Period are contained in the grant application, as amended, which is made part of the grant by reference.
 2. The funds for the grant shall only be used to cover allowable costs which are incurred during the grant period. In addition, valid obligations incurred before the end of the grant period for purchased services, equipment and supplies specifically identified in the approved application shall be considered allowable grant period costs to the extent of actual subsequent expenditures. If obligations are included in the claimed grant costs, adequate records shall be maintained to disclose fully the date and amount incurred and the date and amount of subsequent payment. Obligations claimed in one grant period shall be excluded from expenditures claimed in prior or subsequent grant periods.

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3. No transfer of funds to agencies other than those identified in the approved grant application shall be made without prior approval of OSMRE.
4. The State shall submit financial status reports, performance reports, and other such reports according to the timing, content and format as required by OSMRE.
5. Transfers of funds between total direct cost categories in the approved budget shall receive the prior approval of OSMRE when such transfers exceed five percent of the total budget.
6. The State shall transfer to OSMRE the appropriate share, based on the Federal support percentage, of any refund, rebate, credit or other amounts arising out of the performance of this agreement, along with accrued interest, if any. The State shall take necessary action to effect prompt collection of all monies due or which may become due and to cooperate with OSMRE in any claim or suit in connection with amounts due.
7. The State shall comply with the requirements, as applicable, of OMB Circulars No. A-102 and A-110 regarding administrative procedures, Treasury Circular No. 1075 and 31 CFR 205.6 on financial procedures, OMB Circulars No. A-87, A-21 and A-122 on cost principles, and OMB Circular No. 128, as implemented by 43 CFR 12, on audit requirements.
8. No employee of the State or Federal Government performing any function or duty under the State regulatory or reclamation program plan shall have a direct or indirect financial interest in any coal mining operation. The State shall comply with all requirements and regulations established by OSMRE to carry out this requirement, including 30 CFR Part 705, and those requirements which it has adopted in its regulatory program or reclamation plan.
9. The agreement can be amended only by compliance with the requirements of 30 CFR 735.20 and 886.17. The grant shall be subject to reduction or termination pursuant to 30 CFR 735.21 and 886.18.
10. Grant funds shall not be used to attempt to influence the public on legislation pending before Congress.

GRANT AND COOPERATIVE AGREEMENT AWARD

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1-67-30A (Continued)

11. For purposes of this grant, program income includes, but is not limited to, income from the sale of publications, the sale of real or personal property purchased with grant funds, the sale of services under a grant (such as the sale of computer time), permit fees, income earned from investment of permit fees or other program income, and income from royalties received as a result of copyrights or patents produced under the grant. Program income does not include income from fines, penalties, taxes or forfeitures. Except as discussed below, in the grant application the State may choose any of the following three methods of treating program income: 1) program income may be added to the funds committed in the grant agreement by the grantor and grantee and used to further eligible program objectives; or 2) program income may be used to finance the non-Federal share of the grant agreement; or 3) program income may be deducted from the total grant agreement costs for the purpose of determining the net costs on which the Federal share of costs will be based. Proceeds from the sale, transfer or distribution of real or personal must be handled in accordance with OMB Circular No. A-102, Attachment N, and implementing OSMRE guidelines.
12. Prior to the start of any construction activity, the State shall ensure that all applicable Federal, State and local permits and clearances are obtained.
13. It is a national policy to place a fair share of purchases with minority business firms. Minority Business Enterprises/Women's Business Enterprises (MBE/WBE) utilization is based on Executive Orders 11625, 12138 and 12432, and OMB Circular A-102. The Department of the Interior (DOI) is strongly committed to the objectives of this policy and encourages all recipients of its grants and cooperative agreements to take affirmative steps to ensure such fairness. In particular, recipients should:
 - a. Place minority business firms on bidders' mailing lists.
 - b. Solicit these firms whenever they are potential sources of supplies, equipment, construction or services.
 - c. Where feasible, divide total requirements into smaller needs, and set delivery schedules that will encourage participation by these firms.

GRANT AND COOPERATIVE AGREEMENT AWARD

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1-67-30A (Continued)

- d. Use the assistance of the Minority Business Development Agency of the Department of Commerce, the Small Business Administration, the Office of Small and Disadvantaged Business Utilization, DOI, the Business Utilization and Development Specialists who reside in each DOI bureau and office, and similar State and local offices, where they exist.

If the Federal amount of this grant is \$500,000 or more, and involves the procurement of supplies, equipment, construction, or services in excess of \$10,000, the State shall complete a Standard Form 334 (MBE/WBE Utilization Under Federal Grants, Cooperative Agreements, and other Federal Financial Assistance). The form shall be submitted to the appropriate OSMRE Field Office Director within 10 calendar days after the end of each Federal fiscal quarter, up to and including the Federal fiscal quarter in which the State submits to OSMRE its final SF-269/271 report.

14. The State is free to copyright any original work developed in the course of or under the agreement. OSMRE reserves a royalty-free, nonexclusive and irrevocable right to reproduce, public or otherwise use, and to authorize others to use the work for Government purposes. Any publication resulting from work performed under the agreement shall include an acknowledgement of OSMRE financial support and a statement that the publication does not necessarily reflect OSMRE's views.
15. No subsequent (reclamation/regulatory) grants, monetary increase amendments or time extension amendments shall be approved unless all overdue final performance reports have been submitted by the recipient to the appropriate Field Office. Exceptions to this policy can be approved only by the Deputy Director, Operations and Technical Services, OSMRE, or his designate.
16. This grant takes effect at the time of signing by the Director of OSMRE or his authorized delegate. However, the State shall have a period of 20 calendar days from the date of signing to execute this grant in order to indicate its agreement of the terms and conditions. Unless an extension of time is formally made by OSMRE, failure to execute the agreement within the stated period shall result in a deobligation of the total Federal Grant Amount.

- B. The following conditions are added to an agreement award to address specific program or funding requirements:

FEDERAL ASSISTANCE

JAN 85